## REMARKS

The Official Action mailed January 5, 2004, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for Two Month Extension of Time*, which extends the shortened statutory period for response to June 5, 2004. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on March 7, 2002, and July 8, 2003. However, the Applicants have not received acknowledgment of the Information Disclosure Statement filed on January 21, 2004. The Applicants respectfully request that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of this Information Disclosure Statement.

Claims 1-23 were pending in the present application prior to the above amendment. Claims 1-16 have been canceled, and claims 17, 20 and 23 have been amended to better recite the features of the present invention. Accordingly, claims 17-23 are now pending in the present application, of which claims 17, 20 and 23 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 3 of the Official Action objects to the drawings asserting that features of claims 1, 3, 5 and 7 are not shown. In response, claims 1, 3, 5 and 7 have been canceled. Therefore, the objection is now moot.

Paragraph 4 of the Official Action objects to claims 1, 5, 9, 20 and 23 asserting that "signals" should be changed to "signal." In response, claims 1, 5 and 9 have been canceled, and claims 20 and 23 have been amended in accordance with the Examiner's suggestion. Favorable reconsideration is requested.

Paragraph 6 of the Official Action rejects claims 1-16 under 35 U.S.C. § 112, first paragraph, asserting lack of enablement. In response, claims 1-16 have been canceled. Therefore, the rejection is now moot.

Paragraph 8 of the Official Action rejects claims 1-11, 13-15 and 17-23 as obvious based on the combination of U.S. Patent No. 5,374,941 to Yuki et al. and JP 04-050996 to Nishikawa. Paragraph 9 of the Official Action rejects claims 1-10, 12-14, and 16-23 as obvious based on the combination of U.S. Patent No. 5,434,589 to Nakamura et al. and Nishikawa. As noted above, claims 1-16 have been canceled. As to claims 17-23, the Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present invention, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 17, 20 and 23 have been amended to recite a timer circuit operationally connected to a comparator circuit, where the timer circuit starts to count when first and second image data coincide.

Yuki and Nishikawa or Nakamura and Nishikawa do not teach or suggest at least the above-referenced features of the present invention.

Since Yuki and Nishikawa or Nakamura and Nishikawa do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Paragraph 11 of the Official Action rejects claims 17, 18, 20, 21, and 23 under the doctrine of obviousness-type double patenting over claims 2 and 19 of U.S. Patent No. 5,812,149 to Kawasaki et al. Paragraph 12 of the Official Action rejects claims 1-16, 19 and 22 under the doctrine of obviousness-type double patenting over the combination of claim 2 of Kawasaki and Nishikawa.

As noted above, claims 1-16 have been canceled. As to claims 17-23, as is discussed in greater detail above, the independent claims have been amended to better recite the features of the present invention. In light of this amendment, the Applicants respectfully traverse this ground for rejection and reconsideration of the pending claims is respectfully requested. In any event, the Applicants respectfully request that the double patenting rejections be held in abeyance until an indication of allowable subject matter is made in the present application. At such time, the Applicants will respond to any remaining double patenting rejections.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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